

Before the
Federal Communications Commission
Washington, D. C. 20554

In the Matter of:

EAS system)

EB Docket 04-296

Additional Comments on EAS.

EAS was designed for National level alerts. It was predicated on previous systems, CONALRAD and EBS, and varies little in concept, only the technology was improved. Over the years the EAS system was used for additional uses, primarily, weather and Amber alerts. While these are good public service features, EAS is not the best delivery method for most of these messages.

For any public alerting system to be effective, it must reach the population in a timely way. Messages which arrive after the fact or are incomplete serve no useful purpose. Unfortunately the current EAS system is very slow in delivery unless the message is originated and intended for the station of entry. Stations “down stream” in the relay system must wait for the transmission from the “upstream” stations before they can re-transmit the messages. This delay can be considerable if the number of stations that have to relay the message is long, and each station delays the message up to 15 minutes if the manual mode is used. Commercial stations are loath to interrupt any commercial announcement to relay an EAS message, and I have yet to see any station interrupt a commercial for EAS. At best the EAS is broadcast immediately after a commercial break. With today’s clutter of ads, promos and other errata, commercial breaks are up to 7 minutes or more in length. With the possible delays in relaying the messages, it is often

possible for the message period to expire before the last station receives it in the daisy chain system, which may be the area that actually could use the information.

Governmental and other public safety officials already receive the information via their own radio, and wire data systems. The EAS message is of no use to them. The public is likely aware of many of the dangers before the EAS is even activated because of local news on radio-TV and internet.

For an alerting system to be effective, it needs to reach the “right” public. A wide coverage station, such as a full power TV, 50 KW AM, or class B/C FM station, transmits to a considerable coverage area. Yet the alert may only be of consequence to a tiny fraction of the reach of the station. Having all stations in an area transmit the EAS alert may seem an efficient way to “insure coverage” it is inefficient for any localized issue from severe storms, tornados, chemical spills, or any other cause that may only affect one county, one town, or one neighborhood. Thus the local nature of the emergency is lost in the metropolitan population. A station in Brighton, Michigan, has no receivable signal in Detroit, yet under the current system it is required to air the same EAS alerts as the stations 90 miles away on the other side of the market. Likewise, Valparaiso, IN stations are part of the Chicago market SMSA, but most of the EAS alerts are of no use to the residents of Porter County, IN, if the events are in their area. Likewise, downtown Chicago is not going to have any interest in Union, Michigan weather alerts even though the full power station’s signal reaches well into southwestern Michigan. Meanwhile local alerting systems, civil defense sirens, police, local media are likely already taking action.

Weather related alerts can be more wide spread, typical frontal boundary storms can be organized over a line of 1000 miles or more, but individual storm cells will be created, exist and dissipate along the front, and local interest is going to be limited to those storm cells that pose a danger to each location individually. TV stations that have news presentation capability already have effective means of alerting the public with break-in reports, flashing on screen county maps, color coded alerts, radar displays and other means. None of which requires an EAS system, and none of which is enhanced by EAS. The public is well warned in advance of any significant weather event through any number of means.

For EAS to be effective the public also needs to be able to receive the information. This may seem simple, but consider that most of the population is not awake between midnight and 6 AM local times. There are a small percentage of “third shift” workers, and others that stay up for various reasons, but any event occurring at night is not going to reach a significant fraction of the radio-TV audience. Thus the effectiveness of EAS is highly day-part dependent. And in general the EAS digital information is not received by the public, only an aural or visual announcement contained within the EAS message block. I don’t think my TV set would even come on fast enough to see or hear the message if it was “commanded on” automatically, I would likely not even be awake yet to see/hear the message and I would unplug it if I felt I was going to lose a night’s sleep from some crackpot who decides to have fun and wake everyone up. Again EAS is ineffective.

In the past it was normal to have a coordinated test at 10:30 AM every Tuesday or some other locally designated time to sound local emergency sirens and other alerting systems. Having these weekly tests at a set time allowed for a less intrusive event than random testing. The public tires of the tests, just as they have become tired of the color code terrorist alert. I doubt many people have any idea what YELLOW alert means, and the constant display of such messages makes them ineffective. I would argue that since terrorist attacks are all “surprise” events, having any alert level that is not associated with a known and imminent danger is of little use, akin to our parents advocating we wear clean underwear in case of an auto accident. After the accident, it may not matter anyway. The public does not benefit from the tests, so any tests should be silent to the public, and only “seen/heard” by those participating in the test.

Amber Alerts receive a lot of public attention. But the truth is the only people who could even use the Amber alert information are people moving about in their cars, bikes, skate boards, etc. Many Amber alerts do not even include any useful information, such as time, place, vehicle description, suspect description, direction of travel, etc. As such, any such alert that does not contain this information is nothing more than crying wolf. Sending it on television is of near zero value, since few if any of the public will instantly jump up, turn off Jerry Springer, jump in their SUV and start driving the area roads to search for the missing person. Therefore, any requirement for TV stations to transmit this is without merit. The FCC would be better off establishing high power channel 19 CB radio transmitters in each SMSA to alert the truckers and other persons

with CB radio to be on the look out for a particular vehicle, and give some clue as to location.

But there is a means to alert virtually anyone, on a selective basis, without public annoyance, and without mandatory EAS system functions: Cell Phones are the answer. A simple computer program can simultaneously ring any combination of cell phones. The message can be sorted by cell sites, to include only those areas affected, and not disturb areas not affected. Cell phones are ubiquitous. Kids and adults of all ages have them. They go where people go. They are always ON. An emergency text message sent to every cell phone, which triggers the vibrate mode, not an annoying hundreds of cell ring tones going off in the same store, would alert essentially everyone, without delay except for text entry and transmission time. The alerting area and message can be tailored for any circumstance, and if the information is presented, can be acted upon by the public as appropriate. The text message can even provide a response route for the public to return information or otherwise respond to public safety officials. Even auto dial can be included. Even better, the phones could be programmed by the owner to only those alerts they desire to receive.

Cell phones would reach virtually every family, no matter what media, X-Box, internet site or other activity was going on. There is no relay delay from phone to phone, station to station. No alert tones, no weekly tests or other annoyances are involved. And, just as with radio-TV and other media, if the person does want to be hanging out the “do not disturb” sign, they can ignore the phone but the message would still be there for them later.

Broadcast EAS is a quaint system, archaic, reaches few people, is intermittent, is not time sensitive, lacks the “intelligence” to only reach the affected population, is effective only during some parts of the day, and fails to reach the up to 95% of the population that is not watching TV or playing the radio at 3 AM, let alone the 75% that are engaged in other activities, or non over-the-air broadcast media (cable, satellite, XM, CD, DVD, Game-boy, X-Box, internet, non media related activities etc) the remainder of the day.

Broadcasters can and should perform their public service, as they do now, with frequent newscasts, break-in announcements, flashing maps, radar displays, aural notifications, all of which work just fine without an EAS pony express. I would certainly support mandatory news operations for most stations. [which is not a large expense if the owners are smart] When the terrorists flew planes into the WTC, live TV news was already broadcasting the event to the public, and millions saw the second plane crash into the WTC on live TV, and later, we all watched on-the-scene reports from the Pentagon and Pennsylvania. EAS was not necessary to alert the Nation to the tragedy. And what would the EAS message be: “watch out for falling aircraft piloted by terrorists?” That wasn’t known until hours later.

With stations now investing in digital TV and digital radio systems, adding more expensive equipment for every digital channel is a bad investment-benefit ratio. With declining viewership and declining radio audiences, EAS is just another obsolete system

to be tossed aside along with analog TV sets, black and white video games, and 8 track tapes. Any national, regional and local alerting system needs to be based on 21st century reality, not on WWII vintage concepts. It is time to pull the plug on EAS.

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37 years experience in radio-TV, cable, manufacturing,
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